



This document is scheduled to be published in the Federal Register on 10/29/2015 and available online at <http://federalregister.gov/a/2015-27510>, and on [FDsys.gov](http://FDsys.gov)

**DEPARTMENT OF DEFENSE**

**GENERAL SERVICES ADMINISTRATION**

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

[OMB Control No. 9000-0192; Docket 2015-0055, Sequence 50]

**Submission for OMB Review; Utilization of Small Business  
Subcontractors**

**AGENCIES:** Department of Defense (DoD), General Services Administration (GSA), and the National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of request for public comments regarding a new OMB information collection.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35), the Regulatory Secretariat Division (MVCB) will be submitting to the Office of Management and Budget (OMB) a request to review and approve a new information collection requirement regarding utilization of small business subcontractors. A notice was published in the Federal Register at 80 FR 32909 on June 10, 2015. No comments were received on this information collection.

**DATES:** Submit comments on or before **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** Submit comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Office

of Information and Regulatory Affairs of OMB, Attention:  
Desk Officer for GSA, Room 10236, NEOB, Washington, DC  
20503. Additionally submit a copy to GSA by any of the  
following methods:

- Regulations.gov: <http://www.regulations.gov>.

Submit comments via the Federal eRulemaking portal by  
searching the OMB control number. Select the link  
"Submit a Comment" that corresponds with "Information  
Collection 9000-0192, Utilization of Small Business  
Subcontractors". Follow the instructions provided at the  
"Submit a Comment" screen. Please include your name,  
company name (if any), and "Information Collection 9000-  
0192, Utilization of Small Business Subcontractors" on  
your attached document.

- Mail: General Services Administration, Regulatory  
Secretariat (MVCB), ATTN: Ms. Flowers, 1800 F. Street, NW.,  
Washington, DC 20405.

Instructions: Please submit comments only and cite  
Information Collection 9000-0192, Utilization of Small  
Business Subcontractors, in all correspondence related to  
this case. Comments received generally will be posted  
without change to <http://www.regulations.gov>, including any  
personal and/or business confidential information provided.  
To confirm receipt of your comment(s), please

check [www.regulations.gov](http://www.regulations.gov),

approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

**FOR FURTHER INFORMATION CONTACT:** Ms. Mahruba Uddowla, Procurement Analyst, at 703-605-2868 for clarification of content.

**SUPPLEMENTARY INFORMATION:**

**A. Purpose**

Section 1322 of the Small Business Jobs Act of 2010 (Jobs Act), Pub. L. 111-240, amends the Small Business Act (15 U.S.C. 637(d)(6)) to require as part of a subcontracting plan that a prime contractor make good faith effort to utilize a small business subcontractor during performance of a contract to the same degree the prime contractor relied on the small business in preparing and submitting its bid or proposal. If a prime contractor does not utilize a small business subcontractor as described above, the prime contractor is required to explain, in writing, to the contracting officer the reasons why it is unable to do so. The Small Business Administration (SBA) made regulatory changes in its final rule at 78 FR 42391, dated July 16, 2013 to implement the statutory requirements set forth at section 1322. The SBA final rule is being

implemented in the FAR at Subpart 19.7 and clause 52.219-9 Small Business Subcontracting Plan through FAR case 2014-003, Small Business Subcontracting Improvements.

## **B. Annual Reporting Burden**

Public reporting burden for the collection of information regarding a contractor's utilization of small business subcontractors to the same degree the prime contractor relied on the small business in preparing and submitting its bid or proposal is estimated to be \$202,464. FPDS for FY 2013 lists 5,327 actions with small business subcontracting plans. However, it is estimated that at most 50% of these contracts with subcontracting plans may have instances of the prime contractor not using a small business subcontractor to the same extent used in preparing the bid or proposal. Using this method provides the number of respondents as 2,664. It is estimated that the average time required to read and prepare information for this collection is two hours. It is also estimated that the responses per respondent would be once a year since prime contractors have until 30 days of contract completion to submit the written explanation.

Respondents: 2,664.

Responses per respondent: 1.

Total annual responses: 2,664.

Preparation hours per response: 2.

Total response burden hours: 5,328.

**C. Public Comments**

Public comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the Federal Acquisition Regulations (FAR), and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; ways to enhance the quality, utility, and clarity of the information to be collected; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

**Obtaining Copies of Proposals:** Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street, NW, Washington, DC 20405, telephone 202-501-4755.

Please cite OMB Control No. 9000-0192, Utilization of Small Business Subcontractors, in all correspondence.

Edward Loeb,  
Acting Director,  
Federal Acquisition Policy Division,  
Office of Governmentwide Acquisition Policy,  
Office of Acquisition Policy,  
Office of Governmentwide Policy.

**[BILLING CODE 6820-EP]**

[FR Doc. 2015-27510 Filed: 10/28/2015 8:45 am; Publication Date: 10/29/2015]